

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ARTHUR J. WILLIAMS JR.,

Plaintiff,

v.

**CREDIT PROTECTION ASSOCIATION
TRANS UNION, LLC., et al.,**

Defendants.

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Civil Action No. **3:09-CV-1146-L**


ORDER

This action was referred to United States Magistrate Judge Irma Carrillo Ramirez for pretrial management pursuant to Special Order No. 3-251. Before the court is the Findings, Conclusions, and Recommendation (“Report”) filed by the magistrate judge on November 6, 2009. Plaintiff has filed no objections to the Report.

Plaintiff filed this action against numerous Defendants on June 17, 2009, but has since failed to file a valid return of service concerning most of them within 120 days of the complaint. On October 20, 2009, the magistrate judge ordered Plaintiff to show cause as to why he has failed to comply with the service requirements of Rule 4(m) of the Federal Rules of Civil Procedure. To date, Plaintiff has not shown such cause, nor has he filed a valid return of service pursuant to Rule 4(m). After a short analysis, the magistrate judge concluded that this action should be dismissed without prejudice against all Defendants who have not yet entered an appearance in this case for failure to comply with the service requirements. Only Defendants Experian Information Solutions; First Central Credit Union; Fremont Reorganization Corporation; Credit Bureau Collection Services, Inc.; and Trans LLC have entered appearances in this action by filing an answer or a motion.

Having reviewed the Report, file, record, and applicable law in this case, the court determines that the findings and conclusions of the magistrate judge are correct. They are therefore **accepted** as those of the court, and the court **dismisses without prejudice** all claims and causes of action asserted against Defendants Credit Protection Association; Fidelity Bank of Texas; Receivable Performance; American Express; National Tenant Network; Swift/M&I; Heart of Texas Auto Action; Citifinancial Corporation Inc.; Credit Bureau Collection Freemont Investment; and TXU Energy for failure to comply with Rule 4(m) of the Federal Rules of Civil Procedure.

It is so ordered this 24th day of November, 2009.


Sam A. Lindsay
United States District Judge